

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRIAN MCMANUS,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	
	:	
TEVA PHARMACEUTICALS	:	
USA, INC., <i>et al.</i>	:	
Defendants	:	NO. 19-3890

ORDER

AND NOW, this 13th day of August, 2021, upon consideration of Defendant’s “Motion for Summary Judgment Pursuant to Federal Rule of Civil Procedure 56(b)” (Document No. 27), Plaintiff’s “Response in Opposition to Motion for Summary Judgment and Cross-Motion for Partial Summary Judgment” (Document No. 28), and Defendant’s “Response in Opposition and Reply Brief in Opposition” (Document No. 30), it is hereby **ORDERED** that Defendant’s Motion. (Document No. 27) is **GRANTED in part** and **DENIED in part**:

1. Plaintiff’s Cross-Motion for Summary Judgment (Document No. 28) is **DENIED**;
2. The Defendant’s Motion for Summary Judgment (Document No. 27) is **GRANTED** to the extent Counts Three, Four, Five, and Six of Plaintiff’s Complaint are **DISMISSED** with prejudice;
3. The Defendant’s Motion for Summary Judgment (Document No. 27) regarding Counts One, Two, Seven, and Eight is **DENIED**.

IT IS SO ORDERED.

BY THE COURT:

/s/ Carol Sandra Moore Wells
CAROL SANDRA MOORE WELLS
United States Magistrate Judge